

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR WALTON COUNTY, FLORIDA

The ANGUS B. WILES TRUST Dated,  
October 31, 2009,  
Plaintiff,  
v.

CASE NO. 2019 CA \_\_\_\_\_

BLUE GULF CORPORATION,  
A dissolved Florida corporation,  
Defendant.

COMPLAINT

COME NOW Plaintiff, ANGUS B. WILES TRUST Dated, October 31, 2009, MICHAEL DALE HUCKABEE and JANET MCCAIN HUCKABEE, as Co-Trustees (hereinafter referred to as "ANGUS B. WILES TRUST"), and sue Defendant, BLUE GULF CORPORATION, (hereinafter referred to as 'BLUE GULF') and allege:

GENERAL ALLEGATIONS

1. Plaintiff, ANGUS B. WILES TRUST Dated, October 31, 2009, is *sui juris* and is the owner of *fee simple* title to Lot 1, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, as recorded in Plat Book 2, Page(s) 41, of the public records of Walton County, Florida, which *plat* is referred to hereinafter in Paragraph 7, and which parcel lies adjacent to the 'beach area' joining the south boundary of said subdivision as shown thereon. The Deed to Plaintiff's land is recorded in the Official Records of Walton County at Book 3078, Page 3093, and a true copy of the Plaintiff's deed to the subject property is attached hereto as Exhibit "A".

2. WEST FLORIDA DEVELOPMENT COMPANY, the corporate predecessor of Defendant, BLUE GULF, is a dissolved Florida for Profit Corporation which was organized under the laws of the State of Florida on February 21, 1947 and which was voluntarily dissolved on October 23, 1968. A true and correct copy of the original copies of the 'Certificate of Corporation', a 'Certificate' of a corporate resolution to sell and transfer all of its assets to Defendant, Blue Gulf Corporation and subsequent dissolution of the corporation and 'certificate of dissolution' as filed with and obtained from the State of Florida, Department of State, and an

Official Certificate of the Secretary of State for West Florida Development Company, the originals of which copies were filed in the case of John G. Morris, et, al. v. Blue Gulf Corporation, Case No. 06-CA-000395, in the Circuit Court of the First Judicial Circuit In and For Walton County, Florida, stating the facts alleged herein are attached hereto and incorporated by reference herein as Exhibit "B".

3. Defendant, BLUE GULF, which corporation purchased the remaining assets of, and was the successor in interest of all assets of West Florida Development Company, and which corporation is a dissolved Florida for Profit corporation was organized under the laws of the State of Florida on January 11, 1965, and administratively dissolved on July 2, 1973. A true and correct copy of the original copy of BLUE GULF CORPORATION's 'Articles of Incorporation' as filed with the State of Florida, Department of State, which were obtained from said Department and an official certificate of the Secretary of State stating the facts alleged above the originals of which were filed in the case of John G. Morris, et. al. v. Blue Gulf Corporation, Case No. 06-CA-000395, In the Circuit Court of the First Judicial Circuit In and For Walton County, Florida are attached herein and incorporated by reference herein as Exhibit "C".

4. BLUE GULF is the corporate successor in interest to the assets of WEST FLORIDA DEVELOPMENT.

5. There is no known or documented evidence of a successor to Defendant, BLUE GULF.

6. On or about October 6, 1948, WEST FLORIDA DEVELOPMENT COMPANY, as the owner of the real property in Walton County, submitted to Walton County certain of its property to be subdivided and platted as 'Blue Mountain Subdivision No 1', said platting being recorded in Plat Book 2 at Page 41 in the Public Records of Walton County, Florida, a true and correct copy of which is attached hereto and incorporated by reference herein as Exhibit "D".

7. At the time of filing the Plat of Blue Mountain subdivision No. 1, WEST FLORIDA DEVELOPMENT COMPANY was also the owner of all the real property lying 'south of the bluff line' (the south boundary of the said subdivision, as described in the Official Plat) to the 'mean high water line of the waters of the Gulf of Mexico'.

8. On or about November 7, 1955, WEST FLORIDA DEVELOPMENT COMPANY, executed and caused to be recorded in the Public Records of Walton County, Florida, in Deed Book 141, at Page 182, a covenant with "*its Grantees all the deeds covering*

*lots in Blue Mountain Beach Subdivision No. 1", which subdivision the subject properties of all Plaintiff's are located, which covenant provided in the event that WEST FLORIDA DEVELOPMENT COMPANY, or any successor, transferee corporation had its corporate existence terminated, that title to "all of the beach area lying between Block 10, 11, 12, and 13 and the Gulf of Mexico will be conveyed to the individual owners of the lots in the above numbered blocks, their heirs, successors or assigns, without payment of further consideration".* A true and correct copy of said document as recorded in the Public Records of Walton County is attached hereto and incorporated by reference herein as Exhibit "E".

9. The covenant referred to above, in Paragraph 9 is a permanent covenant which runs with the land and title to all the lots situated in Blocks 10, 11, 12 and 13 of the said subdivision.

10. The lot owned by the Plaintiff herein is situated in the Block 10, as referred to in the above referenced Exhibit "E", and the Plaintiff is entitled to conveyance of fee simple title to the real property lying south of is lot as shown on the plat of said Blue Mountain Beach Official Records Book 2758, at Page 383, at Official Records Book 2758, at Subdivision No. 1, southward to the 'mean high water line of the waters of the Gulf of Mexico' as was covenanted by West Florida Development Company in said instrument a copy of which is attached as Exhibit 'E'.

11. In civil actions previously filed in this court against Defendant, Blue Gulf, being styled as John G. Morris, et.al. v. Blue Gulf Corporation, Case No. 06-CA-000395, In the circuit court of the First Judicial Circuit In and For Walton County, Florida, Sherry Rayborn v. Blue Gulf Corporation, Case No. 06-CA- 000615, and the action being styled as Jackson v. Blue Gulf Corporation, Case No. 07-CA-000606, all of the Plaintiffs in those cases were similarly situated Plaintiffs, as owners of 'gulf front' lots situated in Blocks 10, 11, 12 and 13 in the 'Blue Mountain Beach Subdivision No. 1' whose actions against the said BLUE GULF were identical to Counts I and II as alleged hereinafter. There has been a number of additional civil actions filed in Walton County and premised upon the same set of facts and circumstances as the cases referenced above but which are not mentioned herein.

12. In the first case filed, the said *Morris* case, the Plaintiffs attempted to properly serve the members of the last known Board of Directors of BLUE GULF, but were unable to do so as it was shown and proven by competent evidence that 'all' members of the last known board

were deceased which this Court found as a fact as stated in the 'Second Amended Final Summary Judgment'(s) entered by the Court which Order was recorded in Official Records Book 2758, at age 383, at Official Records Book 2758, at Page 379 in the *Rayborn*, and in the Final Summary Judgment recorded in Official Records Book 2778, at Page 4238 in the *Jackson*. A true and correct copy of the 'Investigative Report' concerning the investigation and confirmation of the deaths of all the last members of the BLUE GULF board of directors which was filed in *the Morris* case is attached hereto and incorporated by reference herein as Exhibit "F". A True copy of the said judgment entered by this honorable court in the Morris case, stating such is attached hereto and incorporated by reference herein as Exhibit "G". A True copy of the said judgment entered by this honorable court in the Jackson case, stating such is attached hereto and incorporated by reference herein as Exhibit "H".

13. In each of those actions mentioned in Paragraph 12, above, upon motion of the Plaintiffs this Court appointed J. LORRIANE BYTELL, as Attorney at Litem to represent the interest of BLUE GULF, who did so by filing a proper answer on their behalf.

#### COUNT 1

14. Paragraphs 1 through 13 are hereby realleged and incorporated by reference herein.

15. This is an action for enforcement of the covenant referred to above in Paragraph 9 as it relates to the Plaintiff as the owner of a parcels of real property affected by and said covenant and for issuance of an Order of the Court authorizing and directing the conveyance of that certain real property identified as 'beach area' lying adjacent to and south of the said Lot 1, Block 10 owned by the Plaintiff, being situated in the 'Blue Mountain Beach Subdivision No. 1' which property requested to be conveyed being specifically described as follows:

(A). All that property lying south of Lot 1, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 1, Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County, Florida.

16. There is no 'successor or corporate transferee' of BLUE GULF in existence which holds title to the 'beach area' south of Blocks 10, 11, 12 and 13 of the subject Blue

Mountain Beach Subdivision No. 1 as referred to in the 'covenant' which is attached hereto as Exhibit 'E'.

WHEREFORE the Plaintiffs pray that this Court will take jurisdiction of the parties and the real property which is the subject matter of this action and enter an Order authorizing and directing the court appointed Attorney at Litem to convey to the Plaintiffs the subject property described above which lies south of its Lot, described in paragraph 1, herein above, from the south boundary of said lot to the 'mean high water line' of the waters of the Gulf of Mexico, and for such other relief that the Court determines is equitable and just in this matter.

Count 2

17. Paragraphs 1 through 13 are hereby realleged and incorporated by reference herein.

18. This is an action for a Declaratory relief pursuant to Florida Statutes Chapter 86 to confirm the entitlement of the Plaintiffs herein of the conveyance to them of 'the respective beach areas' lying south of the said Lot 1, Block 10 as the subject property is legally described in Paragraphs 19 below.

19. Plaintiff, is the fee simple owner of Lot 1, Block 10 in Blue Mountain Beach Subdivision No. 1, as described above in Exhibit A in Paragraph 1, and is entitled to conveyance of the real property lying south of and adjacent of too said Lot 1, southward to the 'mean high waterline of the Gulf of Mexico' which property is described on the Plat of the said subdivision as 'the beach area' and which parcel is described as follows, to-wit:

All that property lying south of Lot 1, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 1, in Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County Florida.

WHEREFORE, Plaintiffs pray that this Court will enter a Declaratory Judgment adjudicating their rights of ownership and their entitlement to have the subject property described in Paragraphs 20 and 21 above to be conveyed to them and direct the conveyance of title by Court Ordered Trustee's Dee to their respective 'beach areas' as described in Paragraphs 20 and 21 above, and any other relief deemed proper and just by the Court.

/s/ A Wayne Williamson, Esquire  
Attorney for Plaintiff  
Florida Bar Number: 0115002  
P.O. Box 1248, Santa Rosa Beach, FL 32459  
Ph: (850) 685-3091 / Fax: (850) 546-6130  
E-Mail: wayne@waynewilliamsonlaw.com

This instrument prepared by:  
**SCOTT M. CAMPBELL**  
Clark Partington  
4100 Legendary Drive, Suite 200  
Destin, FL 32541  
(850) 650-3304  
CPH FILE # 18-5256

Record Deed: \$18.50  
Deed Documentary Stamps: \$21,000.00  
Total Paid: \$21,018.50

Parcel ID Number: 12-3S-20-34040-010-0010

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, THAT E.D. PINCKARD AND MARY L. PINCKARD, INDIVIDUALLY, AND AS CO-TRUSTEES OF THE E.D. PINCKARD AND MARY L. PINCKARD REVOCABLE TRUST DATED DECEMBER 22, 2014, whose address is 320 Circle Drive, DeFuniak Springs, FL 32435 (the "Grantor"), for and in consideration of Ten Dollars and other good and valuable consideration, the receipt whereof is hereby acknowledged, does bargain, sell, convey and grant unto **MICHAEL DALE HUCKABEE AND JANET MCCAIN HUCKABEE, AS CO-TRUSTEES OF THE ANGUS B. WILES TRUST DATED OCTOBER 31, 2009**, whose address is 756 Blue Mountain Road, Santa Rosa Beach, FL 32459 ("Grantee"), Grantee's heirs and assigns, forever, the real property in WALTON County, Florida, described as follows:

**Lot 1, Block 10, Plat of Blue Mountain Beach Subdivision No. 1, according to the map or plat thereof, as recorded in Plat Book 2, Page(s) 41, of the Public Records of Walton County, Florida.**

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to zoning, restrictions, prohibitions and other requirements imposed by governmental authorities; restrictions, instruments and matters of record or appearing on the plat or otherwise common to the subdivision; valid easements and mineral reservations of record affecting the Property, if any; and taxes for the current year and subsequent years; all of which are not hereby reimposed.

Grantor hereby covenants with the Grantee that Grantor is lawfully seized of the real property in fee simple; that Grantor has good right and lawful authority to sell and convey the real property; that the real property is free of all encumbrances except as provided above; that Grantor hereby fully warrants the title to the real property and will defend the same against all persons lawfully claiming the same by, through or under Grantor.

"Grantor" and "Grantee's" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto executed this instrument on the 3<sup>rd</sup> day of July, 2018.

Signed, sealed and delivered  
in our presence:

K. Matthews  
Print Name: Kristi Matthews

E.D. Pinckard  
E.D. Pinckard, Individually

Lee Pinckard  
Print Name: Lee Pinckard

Mary L. Pinckard  
Mary L. Pinckard, Individually

K. Matthews  
Print Name: Kristi Matthews

By: E.D. Pinckard  
E.D. Pinckard, as Co-Trustee of the E.D. Pinckard and Mary L. Pinckard Revocable Trust dated December 22, 2014

Lee Pinckard  
Print Name: Lee Pinckard

By: Mary L. Pinckard  
Mary L. Pinckard, as Co-Trustee of the E.D. Pinckard and Mary L. Pinckard Revocable Trust dated December 22, 2014

EX. A

STATE OF FLORIDA  
COUNTY OF Walton.

The foregoing instrument was acknowledged before me this 2nd day of July, 2018 by E.D. Pinckard and Mary L. Pinckard, Individually, as Co-Trustees of the E.D. Pinckard and Mary L. Pinckard Revocable Trust dated December 22, 2014. They (  ) are personally known to me or (  ) have produced FL Drivers license as identification.



Kristina Matthews  
(Print/Type Name)  
NOTARY PUBLIC  
Commission Number:  
My Commission Expires:

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of WEST FLORIDA DEVELOPMENT COMPANY, a corporation organized under the laws of the State of Florida, filed on February 21, 1947, as shown by the records of this office.

The document number of this corporation is 150164.

I further certify that said corporation was voluntarily dissolved on October 23, 1968.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capitol, this the Seventh day of July, 2006



CR2EO22 (01-06)

Sue M. Cobb  
Sue M. Cobb  
Secretary of State



CERTIFICATE OF CORPORATION

This is to certify that R. D. Chamberwood, W. Guy McKenzie, W. M. Adams, John Dorsey, Adrien Rivard, Clyde Harbison, Joe Wong, Charles King, C. W. Jennings and A. B. Covell do hereby associate themselves together as a body corporate under the laws of the State of Florida and the following proposed charter:

1. The name of the corporation shall be West Florida Development Company.
2. The general nature of the business to be conducted by the corporation shall be the buying, selling, leasing, developing or handling in any other means or manner real estate and the transaction of any and all other lawful businesses whether herein specified or not.
3. The maximum number of shares which the corporation shall have outstanding at any time shall be 100 all of common stock with equal voting powers and of no par value.
4. The corporation shall begin business with a capital of \$2,000.00 which shall be paid into the treasury of the corporation in cash or property amounting to not less than \$2,000.00.
5. The corporation shall have perpetual existence or shall continue in existence until dissolved in due course and operation of law.
6. The principal place of business shall be in or about Springs, Walton County, Florida, with such branch offices and places of business, either within or without the state of Florida, as may be determined by the Board of Directors.
7. The Board of Directors shall consist of not less than three nor more than seven members, each of whom shall be a stockholder in the corporation.
8. The names and post office addresses of the first Board of Directors of the corporation, who shall serve for the first year of the existence of the corporation or until their successors are elected and qualified, shall be:

Joe Long	De Punik Springs, Florida
Clyde Harbeau	De Punik Springs, Florida
W. Guy McKenzie	De Punik Springs, Florida
John Lorsey	De Punik Springs, Florida
Adrien Divard	De Punik Springs, Florida

9. The names and post office addresses and number of shares subscribed by each of the incorporators are as follows:

A. B. Underwood--De Punik Springs, Florida--10 shares
W. Guy McKenzie--De Punik Springs, Florida--10 shares
S. E. Adams-----De Punik Springs, Florida--10 shares
John Dorsey-----De Punik Springs, Florida--10 shares
Adrien Rivard-----De Punik Springs, Florida--10 shares
Clyde Harbeau--De Punik Springs, Florida--10 shares
Joe Long-----De Punik Springs, Florida--10 shares
Charles King-----De Punik Springs, Florida--10 shares
G. I. Jennings--De Punik Springs, Florida--10 shares
A. B. Covell-----De Punik Springs, Florida--10 shares

10. The affairs of the corporation shall be handled by the first Board of Directors as named in paragraph #8 hereof until the first meeting of the stockholders of the corporation.

11. The by-laws of the corporation shall be adopted by the Board of Directors at their first regular meeting or a subsequent meeting called for that purpose.

12. In the event any stock certificates issued by the corporation shall be lost or destroyed, stock certificates to replace such lost or destroyed certificates shall be issued only in strict compliance with the stock transfer act of the Laws of Florida.

13. No shares of stock at any time outstanding on the books of the corporation and owned by the corporation shall be sold by the corporation without the consent of 2/3's of the stockholders of said corporation.

14. No stock in this corporation owned and held by any individual shall be sold or transferred by such individual until such individual owner has first offered said stock for sale to the corporation at a price not inconsistent with the usual value of said stock and the corporation has refused to purchase such stock.

15. The substance of the provisions restricting transfer of stock as set forth in paragraphs #13 and #14 of this certificate shall appear on the face of each stock certificate issued by the corporation.

I, WILLIAM WILCOX the subscriber, do hereby set my  
hand and seal, this 19 day of February, 1847.

<u>RB the hump</u>	
<u>W. Angler. King</u>	(- 100)
<u>Salmon</u>	(- 100)
<u>Salmon</u>	(- 100)
<u>Alaskan Shrimp</u>	(- 100)
<u>Salmon</u>	(- 100)
<u>Salmon</u>	(- 100)
<u>Alaskan Shrimp</u>	(- 100)
<u>Salmon</u>	(- 100)
<u>Alaskan Shrimp</u>	(- 100)
<u>Salmon</u>	(- 100)
<u>Alaskan Shrimp</u>	(- 100)

STATE OF FLORIDA

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before the subscriber personally appeared, on the 20th day of May, 1948, W. H. McKenzie, W. E. Adams, John Dorsey, Arthur Alvord, Alvin Turbason, Joe Long, Charles King, J. W. Jennings and W. J. Sorrell known to me to be the individuals described in and who executed the foregoing instrument, and each for himself acknowledged before me that he executed said instrument for the uses and purposes therein expressed, his and their

Given under my hand and official seal, this 19<sup>th</sup> day of January,  
1847.

Henry F. Dugay  
Secretary, State of Oregon  
at Corvallis  
My conversation explored [unclear] 1947

C E R T I F I C A T E

WEST FLORIDA DEVELOPMENT COMPANY, a Florida corporation having its principal place of business in DeFuniak Springs, Walton County, Florida, does hereby certify that the following is a true and correct copy of the resolution of the Board of Directors and stockholders of said corporation, which said resolution was passed by unanimous affirmative vote of all of the Directors and owner of all of the capital stock at a meeting held on September 18, 1968, and said resolution reads as follows, to-wit:

BE IT RESOLVED by the Board of Directors and the owner of all of the capital stock of West Florida Development Company, a Florida corporation having its principal place of business in DeFuniak Springs, Florida, that the corporation proceed forthwith to dispose of all of its assets by conveying all of the assets of said corporation to Blue Gulf Corporation, a Florida corporation having its principal place of business in Quincy, Florida, the owner and holder of all of the capital stock of the corporation, and that Charles S. Isler, Jr., as Attorney for the corporation, be authorized and directed to forthwith effect the dissolution of the corporation in accordance with the requirements of law.

And it is further certified that the names and addresses of the officers and Directors of the corporation are as follows, to-wit:

R. B. Davis, President and Director  
416-A Broad Street, Nashville, Tennessee.

Peter B. Cirlin, Vice President and Director  
First American National Bank, Nashville, Tennessee.

Hal A. Davis, Secretary-Treasurer and Director,  
Citizens Bank Building, Quincy, Florida.

and the said parties were then and there acting for Blue Gulf Corporation, a Florida corporation having its principal place of business in the Citizens Bank Building, Quincy, Florida, the owner of all of the capital stock of the corporation being herein dissolved. And said parties were duly authorized to act for and in behalf of said owner of all of the capital stock.

IN WITNESS WHEREOF, WEST FLORIDA DEVELOPMENT COMPANY has caused these presents to be signed in its corporate name by its President

and its corporate seal to be affixed, attested by its Secretary,  
this 18th day of September, A. D. 1968.

WEST FLORIDA DEVELOPMENT COMPANY

By R. B. Davis  
Its President

ATTEST:

By Hal A. Davis  
Its Secretary

(corporate seal)



STATE OF FLORIDA

COUNTY OF BAY

Before the undersigned authority this day personally appeared R. B. Davis and Hal A. Davis, to me known and known to be the individuals described in and who executed the foregoing Certificate as President and Secretary, respectively, of West Florida Development Company, a corporation, and severally acknowledged to and before me that their execution thereof was their free act and deed as such officers of said corporation and that the seal affixed is the true corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, this 18th day of September, A. D. 1968.

Minneapolis  
Notary Public

Minneapolis  
Notary Public  
State of Minnesota  
My Commission Expires Sept 1970

A F F I D A V I T

STATE OF FLORIDA

COUNTY OF BAY

R. B. Davis and Hal A. Davis, after being duly sworn, do oath and say that they are President and Secretary, respectively, of West Florida Development Company, a Florida corporation having its principal place of business in DeFuniak Springs, Florida, and that they have knowledge of the matters and things recited, that said corporation is not indebted for property taxes, either tangible or intangible, and has no liability for water or use taxes, or any other indebtedness of any kind whatsoever. This affidavit is given to comply with §608.27(1), Florida Statutes, and in order to induce the Secretary of State of Florida to proceed with the dissolution of said corporation in accordance with Certificate filed in his office.

R. B. Davis

Hal A. Davis

Sworn to and subscribed before me this 18 day of September,  
A. D. 1968.

*Muriel M. Bastien*  
Notary Public

CERTIFICATE OF CORPORATE DISSOLUTION

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

This is to certify that, whereas A. B. GOWELL, IN FUMIAK SPRINGS, FLORIDA

<u>R. B. UNDERWOOD</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>
<u>CIVILLE HARRISON</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>
<u>W. GUY MCKEEON</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>
<u>JOE LONG</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>
<u>S. H. ADAMS</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>
<u>CHARLES KIM</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>
<u>JOHN DORSEY</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>
<u>O. W. JENNINGS</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>
<u>ADMIREN RIVARD</u> ,	<u>IN FUMIAK SPRINGS, FLORIDA</u>

did on the 21st day of SEPTEMBER, A.D. 1967

cause to be incorporated under the laws of the State of Florida.

WEST FLORIDA DEVELOPMENT COMPANY

a corporation, with its principal place of business at IN FUMIAK SPRINGS, WALTON COUNTY

in the State of Florida, and whereas such corporation did on the 19th

day of SEPTEMBER, A.D. 1968, cause to be filed in the office of the Secretary of State of the State of Florida, the documentary authority required under Section 808.27, Florida Statutes, showing the dissolution of such corporation, and the Secretary of State is satisfied that the requirements of law have been complied with, the said corporation, to-wit:

WEST FLORIDA DEVELOPMENT COMPANY  
heretofore existing with its principal place of business at IN FUMIAK SPRINGS, WALTON COUNTY  
in the State of Florida, has been and is dissolved and no longer exists under the laws of the State of Florida.

IN WITNESS WHEREOF, I have hereunto set my  
hand and have affixed the Great Seal of the State  
of Florida, at Tallahassee, the Capital, this the  
TWENTY-THIRD day of

OCTOBER, A.D. 1968

TOM ADAMS

Secretary of State

FINAL CERTIFICATE

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of BLUE GULF CORPORATION, a corporation organized under the laws of the State of Florida, filed on January 11, 1965, as shown by the records of this office.

The document number of this corporation is 288570.

I further certify that said corporation was administratively dissolved on July 2, 1973.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capitol, this the Seventh day of July, 2006



CR2EO22 (01-06)

Sue M. Cobb  
Sue M. Cobb  
Secretary of State

EXHIBIT

C

ARTICLES OF INCORPORATION

OF

BLUE GULF CORPORATION

The undersigned subscribers to these articles of incorporation, each a natural person competent to contract, hereby associate themselves together to form a corporation under the laws of the State of Florida.

RECEIVED  
JAN 11 1965  
FLORIDA  
CORPORATION  
COMMISSIONER OF STATE

ARTICLE I. NAME

The name of this corporation is: Blue Gulf Corporation.

ARTICLE II. NATURE OF BUSINESS

The general nature of the business to be transacted by this corporation is: To manufacture, purchase, or otherwise acquire, and to own, mortgage, pledge, sell, assign, transfer, or otherwise dispose of, and to invest in, trade in, deal in and with goods, wares, merchandise, real and personal property, and services, of every class, kind, and description; except that it is not to conduct a banking, safe deposit, trust, insurance, surety, express, railroad, canal, telegraph, telephone or cemetery, a building and loan association, mutual fire insurance association, cooperative association, fraternal benefit society, state fair or exposition.

ARTICLE III. CAPITAL STOCK

The maximum number of shares of stock that this corporation is authorized to have outstanding at any one time is Five thousand shares of common stock having a nominal or par value of One Hundred Dollars per share.

ARTICLE IV. INITIAL CAPITAL

The amount of capital with which this corporation will begin business is Forty Nine Thousand Dollars.

ARTICLE V. TERM OF EXISTENCE

This corporation is to exist perpetually.

ARTICLE VI. ADDRESS

The initial post office address of the principal office of this corporation in the State of Florida is #7 West Washington Street, Quincy, Florida. The Board of Directors may from time to time move the principal office to any other address in Florida.

ARTICLE VII. DIRECTORS

This corporation shall have four directors, initially. The number of directors may be increased or diminished from time to time, by by-laws adopted by the stockholders, but shall never be less than three.

ARTICLE VIII. INITIAL DIRECTORS

The names and postoffice addresses of members of the first Board of Directors are:

<u>NAME</u>	<u>ADDRESS</u>
Robert L. Davis	2017 McGavock Pike, Nashville, Tenn.
Peter B. Curnin	980 Overton Lea Rd. Nashville, Tenn.
P. C. Elliott	415 Bushnell Nashville, Tenn.
J. B. Sette	900 Oak Valley Rd., Nashville, Tenn.

ARTICLE IX. SUBSCRIBERS

The name and postoffice address of each subscriber of these articles

(1) of incorporation, the number of shares of stock each agrees to take and the value of the consideration therefor are:

<u>NAME</u>	<u>ADDRESS</u>	<u>SHARES</u>	<u>CONSIDERATION</u>
Robert B. Davis	2017 McGavock Pike Nashville, Tenn.	210	\$19,000.00 and services valued at \$2,000.00
Peter B. Curlin	980 Overton Lea Rd. Nashville, Tenn.	100	\$10,000.00
P. C. Elliott	415 Bushnell Nashville, Tenn.	100	\$10,000.00
J. B. Seale	900 Oak Valley Rd. Nashville, Tenn.	100	\$10,000.00
Hal A. Davis	9. Shelter St. Quincy, Florida	20	Services valued at \$2,000.00

ARTICLE X. AMENDMENT

These articles of incorporation may be amended in the manner provided by law. Every amendment shall be approved by the Board of Directors, proposed by them to the stockholders, and approved at a stockholders' meeting by a majority of the stock entitled to vote thereon, unless all the directors and all the stockholders sign a written statement manifesting their intentions that a certain amendment of these articles of incorporation be made.

Robert B. Davis

Peter B. Curlin

P. C. Elliott

J. B. Seale

Hal A. Davis

STATE OF TENNESSEE

COUNTY OF DAVIDSON

I hereby certify that on this day, before me, a Notary Public duly authorized in the state and county named above to take acknowledgments, personally appeared Robert W. Davis, Peter B. Curlin, P. C. Elliott and J. B. Seale, to me known to be the persons described as subscribers in and who executed the foregoing articles of incorporation, and acknowledged before me that they subscribed to those articles of incorporation.

Witness my hand and official seal in the county and state named above this 6 day of January, A. D. 1965.

NOTARY PUBLIC  
My commission expires:

STATE OF FLORIDA

COUNTY OF GADSDEN

I hereby certify that on this day, before me, a Notary Public duly authorized in the state and county named above to take acknowledgments, personally appeared Hal A. Davis, to me known to be the person described as subscriber in and who executed the foregoing articles of incorporation, and acknowledged before me that he subscribed to those articles of incorporation.

Witness my hand and official seal in the county and state named above this 7th day of January, A. D. 1965.

NOTARY PUBLIC  
My commission expires:

Number of NE  
of NE  
C 3000 T 35 0200

1018

BLUE MOUNTAIN BEACH SUBDIVISION No. 1  
PLAT OF

IN SW 1/4 OF NW 1/4 OF SEC 12 & NE 1/4 OF SE 1/4 OF SEC 13 IN T 35 R 20W  
S 1/2 OF SW 1/4 OF SEC 7 & SW 1/4 OF NW 1/4 OF SEC 7 IN T 35 R 20W

WEST FLORIDA DEVELOPMENT CO INC  
FOR  
WALTON COUNTY, FLA.

HERLOCK, SMITH & ADAMS, INC.  
ARCHITECTS & ENGINEERS  
MONTGOMERY, ALABAMA.  
JULY, 1948

Ex. D

274-275 1870-71  
CANTON OF SWITZERLAND

Mr. W. H. D. - I am sorry to say that the  
Baptist Church of Boston, Mass., has voted to  
disown the Boston Free Church, and to do so in  
a very decided manner. The Boston Free Church  
has been a member of the New England Association  
of Free Churches for a long time, and all good men  
and true, and every member of the Boston Free Church  
will be sorry to see the Boston Baptists do this.

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STATE OF FLORIDA  
COUNTY OF MELBOURNE  
THEIR ATTORNEY  
INVESTIGATOR  
INVESTIGATION OF THE LAND PATENT DEPARTMENT  
MELBOURNE, FLORIDA

announces (October 22) the birth of a son by the  
Mar. 26 (February 1879) and now the weight of all 103 boys born  
measured pre-terminally (mean birth or value when all born) is  
indicated that the average weight for a male is 7.40 lbs.  
mean weight.

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## STATE OF FLORIDA

## COUNTY OF WALTON

THIS INDENTURE made this the 7th day of November A.D. 1965, between West Florida Development Company, a corporation organized and existing under the laws of the State of Florida, having its principal place of business in the County of Walton, State of Florida, Party of the first part and its Grantees in all the deeds covering lots in Blue Mountain Beach Subdivision No. 1, Parties of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the premises and the sum of \$1.00 and other good and valuable considerations does hereby covenant with the parties of the second part that the beach as shown on the plat of Blue Mountain Beach Subdivision No. 1 is for the use and enjoyment of the property owners of Blue Mountain Beach and the party of the first part agrees that no act or conveyance by the party of the first part, its successors or assigns, whether voluntarily or involuntarily made will interfere with the normal use and enjoyment of said beach by the said parties of the second part, their heirs, successors and assigns, such restrictions to be a covenant running with the land of said beach area. Without otherwise limiting its application, the term "normal use and enjoyment" shall mean that any commercial use of such beach area is prohibited.

If the party of the first part or any successor or transferee corporation holding title to said beach area should be dissolved or have its corporate existence terminated, all of the beach area lying between Blocks 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners of Lots in the above numbered Blocks, their heirs, successors or assigns without payment of further consideration, subject to the covenant recited above.

Likewise, should the party of the first part or any successor corporation or transferee of said beach area, whether a corporation or individual, abandon said beach area, then that portion of said beach area lying between the above described Blocks and the Gulf of Mexico will be conveyed as above

EXHIBIT

set forth without payment of further consideration, subject to this same covenant.

Any conveyance or transfer of said beach area, however effected, shall contain appropriate provisions to secure the enforcement of the foregoing rights and restrictions applicable to the beach area and conveyees or transferees, by the acceptance of such conveyances, will agree not to interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be signed in its name by its president and its corporate seal to be affixed, attested by its secretary, the day and year above written.

WEST FLORIDA DEVELOPMENT COMPANY  
a corporation

By S. H. Adams  
S. H. Adams, President

Attest:  
R. B. Underwood  
R. B. Underwood, Secretary

Signed, sealed and delivered  
in the presence of:

Mayo B. Drake  
Carl D. Teller

STATE OF FLORIDA

COUNTY OF WALTON

I hereby certify that on this 7<sup>th</sup> day of November A.D. 1955, before me personally appeared S. H. Adams and R. B. Underwood, respectively President and Secretary of West Florida Development Company a corporation organized under the laws of the State of Florida, to me known to be the individuals and officers described in and who executed the foregoing conveyance and severally acknowledged the execution thereof to be their free act and deed as such officers, and that the official seal of said corporation is duly affixed hereto and that said conveyance is the act and deed of said corporation.

WITNESS my hand and official seal this the day and year above written.

Mayo B. Drake  
Notary Public, State of Florida at Large

My Commission expires: Aug 12, 1957

I hereby certify that the above and foregoing instrument is a true and correct photo-copy of the original as filed for record at 11:15 o'clock A M., this the 14<sup>th</sup> day of November A. D., 1955  
in Book 141, Page 182.

E. Leo Andrews  
E. Leo Andrews, Clerk Circuit Court  
Walton County, Florida

By Deputy Clerk

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR WALTON COUNTY, FLORIDA

JOHN G. MORRIS, JOHN T. CRUNK  
and SUSAN LUCAS, formerly known as  
SUSAN LUCAS UPDYKE,  
Plaintiffs,

v.

CASE NO. 06-CA-000395

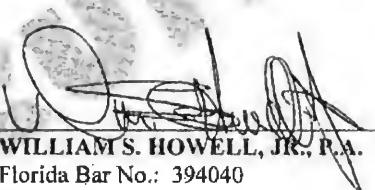
FILED  
WALTON COUNTY, FLORIDA  
CLERK OF COURTS  
700 OCT 30 A 10:48

BLUE GULF CORPORATION,  
a dissolved Florida corporation,  
Defendant.

NOTICE OF FILING INVESTIGATIVE REPORT

NOTICE IS HEREBY GIVEN of the filing by Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE, of their Investigative Report, consisting of 12 pages, prepared by Donna J. Investigations, Private Investigator, of her search to confirm the deaths of the Board of Directors of BLUE GULF CORPORATION, Defendant in the above action. Said report confirms the deaths of all four (4) Directors of said corporation as shown in the files of the Secretary of State of Florida, Division of Corporations.

DATED this 26<sup>th</sup> day of October, 2006.

  
WILLIAM S. HOWELL, JR., P.A.  
Florida Bar No.: 394040  
1727 S. Co. Hwy. 393  
Santa Rosa Beach, FL 32459  
Phone: 850-622-0529  
Attorney for Plaintiffs

S:\MORRIS LUCAS CRUNK\NotFiling\InvestRpt.wpd

160mt

EX L

**DONNA J. INVESTIGATIONS**

P.O. Box 1461 • Destin FL 32540  
Ph: 850 830-2999 • Fax: 850 269-1980

**Report on:** Blue Gulf Corporation Board of Directors

**Date:** 13 October 2006

**Request by:** William Howell, Jr., P.A.

**INFORMATION REQUESTED:** Confirm deaths or current addresses of Blue Gulf Corporation Board of Directors. Specifically, Robert B. Davis; Peter B. Curlin; P.C. Elliott; and J. B. Seale.

**INFORMATION OBTAINED:**

- 1) Copy of death certificate for Robert B. Davis
- 2) Verification of Death Facts, Tennessee Department of Health Office of Vital Records for Peter B. Curlin AND John B. Seale
- 3) Match of address for Phillip C. Elliott through the address listed on the Articles of Incorporation and Comprehensive Report indicating Mr. Elliott is deceased

**Status:** Closed

**Investigator:** Donna Johns

Aut. 06 2005



**WARNING:**

THIS DOCUMENT WAS PRINTED OR PHOTOCOPIED ON SECURE PAPER WITH A WATERMARK OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARK. THE DOCUMENT FACE CONTAINS A MULTI-COLORED MICROFILM AND SECURITY EXPIRATION DATE. THE FACE CONTAINS SPECIAL LINES WITH TEXT AND SEALS OF THE GOV'T OF THE UNITED STATES.

C1370070

**CERTIFICATION OF VITAL RECORD**



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TENNESSEE DEPARTMENT OF HEALTH  
OFFICE OF VITAL RECORDS

**APPLICATION FOR VERIFICATION OF DEATH FACTS**

THIS APPLICATION MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.

Name and mailing address where verification is to be sent:

*Donna Johns*  
Name of Individual or Requesting Agency  
*123 Lake Front Drive*  
Street Address  
*Weston, Florida 32550*  
City State Zip

*October 5, 2006*  
Date  
*(850) 830-2999*  
Telephone No.

In order for the Office of Vital Records' staff to search the files of death records, please provide the following information from the record you are requesting:

Year of Death      Name of Deceased Person

Also complete items 1-5 below if you have that information. This allows the Office of Vital Records to perform a more accurate search.

A fee of \$12.00 is charged for the search of the year and the name entered above. This fee is charged even if no record is found. If you want to search more than one year of records, please enclose \$12.00 for each additional year. The Office of Vital Records maintains death records for the past fifty (50) years. Earlier years may be obtained at the State Library & Archives.

1. Full name of Deceased: *Peter B. Curley*
2. Date of Death: *February 1982*
3. Place of Death: *Obion, Tennessee*
4. Residence at Time of Death: \_\_\_\_\_
5. Decedent's parents:

Mother's: \_\_\_\_\_  
First      Middle      Maiden Name

Father's: \_\_\_\_\_  
First      Middle      Last

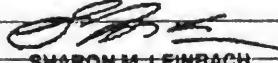
**MAIL THIS APPLICATION TO:**

Tennessee Department of Health  
**OFFICE OF VITAL RECORDS**  
Central Services Building  
421 5<sup>th</sup> Avenue North, 1<sup>st</sup> floor  
Nashville, TN 37247

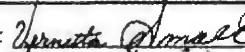
DO NOT WRITE BELOW. THE STAFF AT THE OFFICE OF VITAL RECORDS WILL ENTER INFORMATION.

This form is not a death certificate.

The information is transcribed from the original document.

1. Name of Decedent:	Peter Buchanan Curlin		
2. Sex:	Male		
3. Date of Death:	February 27, 1982	4. Age at time of Death:	66
5. Date of Birth:	September 27, 1915		
7. Place of Birth:	Kentucky		
8. Was Decedent Ever in the Armed Forces:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	From Not on certificate to _____
9. Place of Death:	Union City Tennessee Obion County		
10. Facility Name and Address:	Obion County General Hospital		
11. Marital Status:	Married		
12. Spouse's Name:	Mary Hamblin Hudgins		
13. Decedent's Occupation - Kind of Business:	Financial Consultant / Banking		
14. Decedent's Residence:	919 East Exchange Union City, TN		
15. Race:	White	16. Education:	Not on certificate
17. Father's Name:	Prather B. Curlin		
18. Mother's Name:	Elizabeth Scates		
19. Informant's Name:	Mrs. Mary Curlin		
20. Informant's Relationship:	Spouse		
21. Mailing Address:	919 East Exchange Union City, TN		
22. Method - Place of Disposition:	Burial / East View Cemetery Union City, TN		
23. Funeral Director:	Gus B. White III		
24. Embalmer:	Gus B. White III		
25. Name and Address of Funeral Home:	White - Ranson Union City, TN 38261		
26. Medical Examiner's Name and Address:	Not on certificate		
27. Physician's Name and Address:	Grover Schleifer III (MD) P.O. Box 220 Union City, TN 38261		
28. Date Certificate Filed:	March 9, 1982		
Other Information: 			
<p>SHARON M. LEINBACH VERIFIED BY INDEX</p>			

We were unable to locate a certificate with information given.

Verified By:   
Title: Information Assistant  
Date Verified: October 5, 2006



TENNESSEE DEPARTMENT OF HEALTH  
OFFICE OF VITAL RECORDS

**APPLICATION FOR VERIFICATION OF DEATH FACTS**

THIS APPLICATION MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.

Name and mailing address where verification is to be sent:

Donna Johns  
Name of Individual or Requesting Agency  
123 Lake Front Drive  
Street Address  
Weston, Florida 32558  
City State Zip

October 5, 2006  
Date  
(850) 830-2999  
Telephone No.

In order for the Office of Vital Records' staff to search the files of death records, please provide the following information from the record you are requesting:

Year of Death      Name of Deceased Person

Also complete items 1-5 below if you have that information. This allows the Office of Vital Records to perform a more accurate search.

A fee of \$12.00 is charged for the search of the year and the name entered above. This fee is charged even if no record is found. If you want to search more than one year of records, please enclose \$12.00 for each additional year. The Office of Vital Records maintains death records for the past fifty (50) years. Earlier years may be obtained at the State Library & Archives.

1. Full name of Deceased: John B. Deale
2. Date of Death: October 10, 1992
3. Place of Death: Hamilton, Tennessee
4. Residence at Time of Death: (City, County, State)
5. Decedent's parents:

Mother's: \_\_\_\_\_  
First      Middle      Maiden Name

Father's: \_\_\_\_\_  
First      Middle      Last

**MAIL THIS APPLICATION TO:**

Tennessee Department of Health  
**OFFICE OF VITAL RECORDS**  
Central Services Building  
421 5<sup>th</sup> Avenue North, 1<sup>st</sup> floor  
Nashville, TN 37247

DO NOT WRITE BELOW. THE STAFF AT THE OFFICE OF VITAL RECORDS WILL ENTER INFORMATION.

This form is not a death certificate.

The information is transcribed from the original document.

1. Name of Decedent:	John Berryman Seale Sr.		
2. Sex:	Male		
3. Date of Death:	October 10, 1992	4. Age at time of Death:	75
6. Date of Birth:	August 18, 1917		
7. Place of Birth:	Sumter County Alabama		
8. Was Decedent Ever in the Armed Forces:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	From _____ to _____
9. Place of Death:	Red Bank Tennessee Hamilton County		
10. Facility Name and Address:	Erlanger Medical Center North		
11. Marital Status:	Married		
12. Spouse's Name:	Anna Marie Finney		
13. Decedent's Occupation - Kind of Business:	Vice President / Krystal Company		
14. Decedent's Residence:	1112 Glamis Circle Signal Mountain, TN 37377		
15. Race:	White	16. Education:	College - 2
17. Father's Name:	Clifton Carter Seale		
18. Mother's Name:	Bessie - Pope		
19. Informant's Name:	Anna Marie Seale		
20. Informant's Relationship:	Spouse		
21. Mailing Address:	1112 Glamis Circle Signal Mountain, TN 37377		
22. Method - Place of Disposition:	Burial / Mount Olive Cemetery Nashville, TN		
23. Funeral Director:	Larry Dale Norcis		
24. Embalmer:	Ronnie Wright		
25. Name and Address of Funeral Home:	Chattanooga Fun. Hm. 1724 McCallie Ave. Chattanooga, TN 37404		
26. Medical Examiner's Name and Address:	Not on certificate		
27. Physician's Name and Address:	James Stanko (MD) 628 Merriweather Springs Rd. Chattanooga, TN 37415		
28. Date Certificate Filed:	October 22, 1992		
Other Information: _____			

We were unable to locate a certificate with information given.

Verified By: *Veronica O'Neal*  
Title: *Information Assistant*  
Date Verified: *October 5, 2006*



**TENNESSEE DEPARTMENT OF HEALTH  
OFFICE OF VITAL RECORDS**

## **APPLICATION FOR VERIFICATION OF DEATH FACTS**

**THIS APPLICATION MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.**

Name and mailing address where verification is to be sent:

Nonna Johns  
Name of Individual or Requesting Agency  
9123 Lake Front Drive  
Street Address  
Leesburg, FL 32550  
City State Zip  
October 6, 2006  
Date  
(850) 830-2999  
Telephone No.

In order for the Office of Vital Records' staff to search the files of death records, please provide the following information from the record you are requesting:

---

**Year of Death**      **Name of Deceased Person**

Also complete items 1-5 below if you have that information. This allows the Office of Vital Records to perform a more accurate search.

A fee of \$12.00 is charged for the search of the year and the name entered above. This fee is charged even if no record is found. If you want to search more than one year of records, please enclose \$12.00 for each additional year. The Office of Vital Records maintains death records for the past fifty (50) years. Earlier years may be obtained at the State Library & Archives.

1. Full name of Deceased:	<u>Philip C. Elliott</u>		
	First	Middle	Last
2. Date of Death:	<u>04</u>	<u>1985</u>	
	Month	Day	Year
3. Place of Death:	<u>Davidson</u>		
	City	County	State
4. Residence at Time of Death:			
	City	County	State
5. Decedent's parents:			

Mother's: \_\_\_\_\_

**Father's:** \_\_\_\_\_

**MAIL THIS APPLICATION TO:**

**Tennessee Department of Health  
OFFICE OF VITAL RECORDS**  
Central Services Building  
421 5<sup>th</sup> Avenue North, 1<sup>st</sup> floor  
Nashville, TN 37247

**DO NOT WRITE BELOW. THE STAFF AT THE OFFICE OF VITAL RECORDS WILL ENTER INFORMATION.**

This form is not a death certificate.

The information is transcribed from the original document.

1. Name of Decedent:	2. Sex:	
3. Date of Death:	4. Age at time of Death:	
5. Social Security Number:		
6. Date of Birth:		
7. Place of Birth:		
8. Was Decedent Ever in the Armed Forces:	<input type="checkbox"/> Yes <input type="checkbox"/> No	From _____ to _____
9. Place of Death:		
10. Facility Name and Address:		
11. Marital Status:		
12. Spouse's Name:		
13. Decedent's Occupation - Kind of Business:		
14. Decedent's Residence:		
15. Race:	16. Education:	
17. Father's Name:		
18. Mother's Name:		
19. Informant's Name:		
20. Informant's Relationship:		
21. Mailing Address:		
22. Method - Place of Disposition:		
23. Funeral Director:		
24. Embalmer:		
25. Name and Address of Funeral Home:		
26. Medical Examiner's Name and Address:	<b>NO CERTIFICATE ON FILE WITH INFORMATION GIVEN</b>	
27. Physician's Name and Address:		
28. Date Certificate Filed:		
Other Information: _____		

We were unable to locate a certificate with information given.

Verified By: *Veronica Donald*  
Title: *Information Assistant*  
Date Verified: *October 5, 2006*

**Important:** The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

## Comprehensive Report

### Comprehensive Report

Date: 09/22/06

### Report Legend:

-  - Shared Address
-  - Deceased
-  - Probable Current Address

### Subject Information:

Name: PHILLIP C ELLIOTT 

Date of Birth: 11/11/1903

Date of Death: 08/1985 (DAVIDSON, TN)

Age at Death: 81 (Born 102 years ago)

SSN:  1960 and 12/31/1961

### Names Associated With Subject:

 PHILIP ELLIOTT DOB:11/11/1903 DOD:08/1985 (DAVIDSON, TN) Age at Death: 81 (Born 102 years ago)  
410-70-xxxx issued in Tennessee between 01/01/1960 and 12/31/1961

### Others Associated With Subjects SSN:

(DOES NOT usually indicate any type of fraud or deception)

O C ELLIOTT Age:

 Issued in Tennessee between 01/01/1960 and 12/31/1961

### Comprehensive Report Summary:

Names Associated With Subject	1 Found
Others Associated With Subjects SSN	1 Found
 Possible Criminal Records	None Found
 Sexual Offenses	None Found
 Driver's License	None Found
 Motor Vehicles Registered	None Found
 Florida Accidents	None Found
 Concealed Weapons Permit	None Found
 People at Work	None Found
 Professional Licenses	None Found
 FAA Certifications	None Found
 FAA Aircrafts	None Found
 Watercraft	None Found
	None Found

 Voter Registration	
 Hunting/Fishing Permit	None Found
 Bankruptcies	None Found
 Tax Liens & Judgments	None Found
 UCC Filings	None Found
 Possible Properties Owned	None Found
 Possible Associates	None Found
 Possible Relatives	1st Degree - None Found 2nd Degree - None Found 3rd Degree - None Found
 Neighbors	1st Neighborhood - 2 Found

**Address Summary:**

Address	County	Dates	Maps
415 BUSHNELL ST, NASHVILLE TN 37206-1820	DAVIDSON	Mar 1985 - Dec 1992	Map

**Previous And Non-Verified Address(es):**

PHILLIP C ELLIOTT - 415 BUSHNELL ST, NASHVILLE TN 37206-1820, DAVIDSON COUNTY (Mar 1985 - Dec 1992),  
COOK JAY & JENNIFER (615) 227-7123

**Property Ownership Information for this Address****Property:**

Parcel Number - 083-10 122  
Lat Number - 45  
Owner Name 1 - COOK JAMES  
Owner Name 2 - COOK JENNIFER  
Address - 415 BUSHNELL ST NASHVILLE TN 37206-1820, DAVIDSON COUNTY  
Owner's Address - 415 BUSHNELL ST NASHVILLE TN 37206-1820, DAVIDSON COUNTY  
Land Usage - DUPLEX  
Subdivision Name - MCEWEN PLACE  
Total Value - \$86,825  
Land Value - \$10,500  
Improvement Value - \$76,325  
Land Size - 25.700  
Year Built - 1930  
Exterior Walls - STONE  
Roof Type - ASPHALT  
Heating - CENTRAL  
Sale Date - 10/29/2004  
Sale Price - \$345,000  
Sellers Name 1 - REAVES DEIRDRE & GILES  
Legal Description - LOTS 45 46 47 48 49 50 MCEWEN PLACE  
Lender Name - UNION PLANTERS BK  
Interest Rate Type - FIX  
Data Source - A

**Neighborhood Profile (2000 Census)**

Average Age: 39  
Median Household Income: \$39,000  
Median Owner Occupied Home Value: \$90,700  
Average Years of Education: 13

** Possible Criminal Records:**

[None Found]

** Sexual Offenses:**

[None Found]

** Driver's License Information:**

[None Found]

 **Motor Vehicles Registered To Subject:**

[None Found]

 **Florida Accidents:**

[None Found]

 **Concealed Weapons Permit:**

[None Found]

 **People at Work:**

[None Found]

 **Professional License(s):**

[None Found]

 **FAA Certifications:**

[None Found]

 **FAA Aircrafts:**

[None Found]

 **Watercraft:**

[None Found]

 **Voter Registration:**

[None Found]

 **Hunting/Fishing Permit:**

[None Found]

 **Bankruptcies:**

[None Found]

 **Tax Liens and Judgments:**

[None Found]

 **UCC Filings:**

[None Found]

 **Possible Properties Owned by Subject:**

[None Found]

 **Possible Associates:**

[None Found]

 **Possible Relatives:**

[None Found]

 **Neighbors:**

**Neighborhood:**

415 BUSHNELL ST NASHVILLE TN 37206-1820 DAVIDSON COUNTY

**Residents:**

JAMES HOWARD COOK JR DOB:05/03/1972 Age: 34  
[REDACTED] issued in Tennessee between 01/01/1982 and 12/31/1983  
JAY COOK Age:  
JENNIFER COOK Age:  
COOK JAY & JENNIFER (615) 227-7123

**Address(es):**

416 BUSHNELL ST, NASHVILLE TN 37206-1821 DAVIDSON COUNTY (Apr 2000 - Aug 2006)

**Residents:**

DELORES H MCVAY Age:  
DELORIS H MCVAY DOB:10/1970 Age: 35  
[REDACTED] issued in Illinois between 01/01/1981 and 12/31/1983  
NEDRA D MCVAY DOB:10/23/1970 Age: 35  
[REDACTED] issued in Illinois between 01/01/1981 and 12/31/1983  
NESHEE MCVAY Age:  
NETRA D MCVAY Age:  
[REDACTED] issued in Illinois between 01/01/1981 and 12/31/1983  
MCVAY NESHEE (615) 262-0076

411 BUSHNELL ST, NASHVILLE TN 37206-1820 DAVIDSON COUNTY

**Residents:**

ASHLEY BREANA BOSTIC DOB:08/13/1987 Age: 19  
C A BOSTIC Age:  
[REDACTED] issued in Ohio between 01/01/1974 and 12/31/1975  
CHRISTINA A BOSTIC Age:  
[REDACTED] issued in Tennessee between 01/01/1990 and 12/31/1991  
CHRISTINA ANNETTE BOSTIC DOB:05/04/1960 Age: 46  
[REDACTED] issued in Ohio between 01/01/1974 and 12/31/1975  
DANNY BOSTIC Age:  
BOSTIC DANNY (615) 228-3522

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR WALTON COUNTY, FLORIDA

**JOHN G. MORRIS, JOHN T. CRUNK  
and SUSAN LUCAS, formerly known as  
SUSAN LUCAS UPDYKE,  
Plaintiffs,**

v.

CASE NO. 06-CA-000395

**BLUE GULF CORPORATION,  
a dissolved Florida corporation,  
Defendant.**

2007 APR 15 A.D. 29  
WALTON CO. FLORIDA  
CLERK OF COURTS  
FILED

**SECOND AMENDED FINAL SUMMARY JUDGMENT**

THIS MATTER being before the Court upon the Motion of Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE to amend the Amended Summary Final Judgment entered by this Court, and the Court having considered the said Motion, the Court finds as follows:

1. There is no genuine issue as to any material fact or law as alleged in the Complaint.
2. The Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE, are the fee simple owners, respectively, of the following described real properties situated in Blue Mountain Beach Subdivision No. 1, each of the properties being respectively, legally described as follows:

**JOHN G. MORRIS:**

All that tract or parcel of land lying and being in Walton County, Florida and being the eastern twenty-five (25) feet of Lot 8 and the entire Lot 9 in Block 12, according to plat of Blue-Mountain Beach Subdivision No. One (1), by Sherloch, Smith and Adams, Inc., that appears of record in the office of the Clerk of the Circuit Court of Walton County, Florida.

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Ex G

**JOHN T. CRUNK:**

**Lot 1, Block 11, Blue Mountain Beach Subdivision, No. 1, according to the plat thereof, as recorded in Plat Book 2, Page 41, of the public records of Walton County, Florida.**

**SUSAN LUCAS f/k/a SUSAN LUCAS UPDYKE:**

**Lot 9 in Block 11, Blue Mountain Beach Subdivision No. 1, according to Plat of said Subdivision by Sherlock, Smith & Adams, on file in the office of the Clerk of the Circuit Court, Walton County, Florida.**

3. Defendant, BLUE GULF CORPORATION, a dissolved Florida corporation, was administratively dissolved by the State of Florida on July 2, 1973 and it was the corporate successor of the original developer/titleholder, WEST FLORIDA DEVELOPMENT COMPANY, a dissolved Florida for profit corporation.

4. There is no evidence of a successor to Defendant, BLUE GULF CORPORATION, and that all of the members of the last known Board of Directors of said Defendant are deceased.

5. The plat of Blue Mountain Beach Subdivision No. 1 was filed in the Public Records of Walton County, Florida on or about October 6, 1948, in Plat Book 2 at Page 41, and at the time thereof, WEST FLORIDA DEVELOPMENT COMPANY, was the fee simple owner of all properties contained within the boundaries of said subdivision and was the owner of all property lying directly south of the "bluff line" to the mean high water line of the waters of the Gulf of Mexico.

6. On or about November 7, 1955, WEST FLORIDA DEVELOPMENT COMPANY, caused to be recorded in the Public Records of Walton County, Florida, in Deed Book 141, at Page 182-183, a legal document containing covenants between the developer and the owners of lots in Blocks 10, 11, 12 and 13 of said subdivision which stated that if WEST FLORIDA DEVELOPMENT COMPANY or any "successor or transferee corporation holding title to the beach area should be dissolved or have its corporate existence terminated all of the beach area lying between Blocks 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners Lots in the above numbered Blocks their heirs, successors or assigns without payment of further consideration", subject only to a restriction in any deeds transferring the subject property that the fee simple owners thereof "will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1".

7. The covenant referred to above, in Paragraph 6, is a permanent covenant which runs with the title to the lots lying in Blocks 10, 11, 12 and 13 in said subdivision.

8. The lots owned by each of the Plaintiffs named above are situated in the Blocks referred to in the above Paragraph and are therefore entitled to a conveyance of fee simple title to the real property lying south of their respective lots as shown on the plat of Blue Mountain Beach Subdivision No. 1, southward to the "mean high water line of the waters of the Gulf of Mexico" as was covenanted by West Florida Development Corporation.

Based upon the foregoing finding of fact and conclusions of law, it is,

ORDERED and ADJUDGED that:

A. The Plaintiffs' Motion for Summary Judgment against BLUE GULF CORPORATION, a dissolved Florida corporation, is hereby GRANTED.

B. The above named Plaintiffs are entitled to fee simple ownership of the property lying adjacent to and south of their respective lots to the mean high water line of the Gulf of Mexico which properties are respectively described as follows:

to JOHN G. MORRIS:

**That property lying south of Lot 9 and the east twenty-five(25) feet of Lot 8, in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1, adjacent to and between an extension of the east side lot line of said Lot 9 and a line drawn 25 feet west of and parallel to the east lot line of said Lot 8, in Block 12, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.**

to JOHN T. CRUNK:

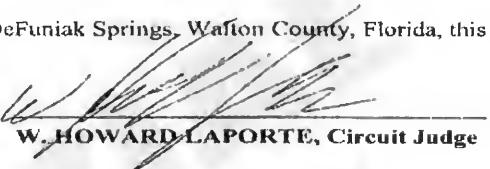
**That property lying south of Lot 1, in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1, adjacent to and between an extension of the side lot lines of said Lot 1, in Block 11, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.**

to SUSAN LUCAS f/k/a SUSAN LUCAS UPPYKE:

**That property lying south of Lot 9 in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1, adjacent to and between an extension of the side lot lines of said Lot 9, in Block 11, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.**

C. Since there is no "successor or corporate transferee" of WEST FLORIDA DEVELOPMENT COMPANY or BLUE GULF CORPORATION in existence which holds title to the "beach area" south of Blocks 10, 11, 12, and 13 of the Blue Mountain Beach Subdivision No. 1, the Court appoints J. LORRIANE BYTELL as Trustee for WEST FLORIDA DEVELOPMENT COMPANY and BLUE GULF CORPORATION, dissolved Florida corporations, to make fee simple conveyances by Trustee's Deed to the Plaintiffs of the respective properties described above, subject to the restriction that the owner thereof "*will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1*".

DONE AND ORDERED in Chambers in DeFuniak Springs, Walton County, Florida, this  
10 day of April, 2007.

  
W. HOWARD LAPORTE, Circuit Judge

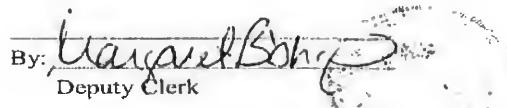
**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that a copy of the foregoing **Second Amended Summary Final Judgment** has been furnished to the following:

William S. Howell, Jr., P.A.  
Attorney for Plaintiffs  
1727 S. Co. Hwy. 393  
Santa Rosa Beach, FL 32459

Lorriane Bytell, Esquire  
Attorney ad Litem  
1250 Circle Drive  
DeFuniak Springs, FL 32435

**MARTHA INGLE**  
*Clerk of Court*

By:   
Deputy Clerk

GAMORRIS LUCAS CRUNK\Second Amended FinalSummJdgmt.wpd

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR WALTON COUNTY, FLORIDA

ALTO L. JACKSON, JR. and  
TRICIA A. JACKSON,

Plaintiffs,

CASE NO.: 07CA000606

v.

BLUE GULF CORPORATION,  
a dissolved Florida corporation,

Defendant.

FILED  
WALTON CO FLORIDA  
CLERK OF COURTS  
2007 NOV 21 A 9:55

FINAL SUMMARY JUDGMENT

THIS MATTER being before the Court upon the Motion for Summary Judgment of Plaintiffs, ALTO L. JACKSON, JR. and TRICIA A. JACKSON, and the Court having considered the pleadings, the Answer of the Attorney ad Litem, exhibits and affidavits filed herein, and argument of counsel, the Court finds as follows:

1. There is no genuine issue as to any material fact or law as alleged in the Complaint.
2. The Plaintiffs, ALTO L. JACKSON, JR. and TRICIA A. JACKSON, are the fee simple owners of the following described real property situated in Blue Mountain Beach Subdivision No. 1, said property being legally described as follows:

**Lot 5, Block 10, Blue Mountain Beach Subdivision according to the plat on file in Plat Book 2, Page 41 of the Public Records of Walton County, Florida.**

3. Defendant, BLUE GULF CORPORATION, a dissolved Florida corporation, was administratively dissolved by the State of Florida on July 2, 1973 and it was the corporate successor

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of the original developer/titleholder, WEST FLORIDA DEVELOPMENT COMPANY, a dissolved Florida for profit corporation.

4. There is no evidence of a successor to Defendant, BLUE GULF CORPORATION, and that all of the members of the last known Board of Directors of said Defendant are deceased.

5. The plat of Blue Mountain Beach Subdivision No. 1 was filed in the Public Records of Walton County, Florida on or about October 6, 1948, in Plat Book 2 at Page 41, and at the time thereof, WEST FLORIDA DEVELOPMENT COMPANY, was the fee simple owner of all properties contained within the boundaries of said subdivision and was the owner of all property lying directly south of the "bluff line" to the mean high water line of the waters of the Gulf of Mexico.

6. On or about November 7, 1955, WEST FLORIDA DEVELOPMENT COMPANY, caused to be recorded in the Public Records of Walton County, Florida, in Deed Book 141, at Page 182-183, a legal document containing covenants between the developer and the owners of lots in Blocks 10, 11, 12 and 13 of said subdivision which stated that if WEST FLORIDA DEVELOPMENT COMPANY or any "*successor or transferee corporation holding title to the beach area should be dissolved or have its corporate existence terminated all of the beach area lying between Blocks 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners Lots in the above numbered Blocks their heirs, successors or assigns without payment of further consideration*", subject only to a restriction in any deeds transferring the subject property that the fee simple owners thereof "*will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1*".

7. The covenant referred to above, in Paragraph 6, is a permanent covenant which runs with the title to the lots lying in Blocks 10, 11, 12 and 13 in said subdivision.

8. The lot owned by the Plaintiffs named above is situated in one of the Blocks referred to in the above Paragraph and the Plaintiffs are therefore entitled to a conveyance of fee simple title to the real property lying south of their lot as is shown on the plat of Blue Mountain Beach Subdivision No. 1, southward to the "mean high water line of the waters of the Gulf of Mexico" as was covenanted by West Florida Development Corporation.

Based upon the foregoing finding of fact and conclusions of law, it is,

ORDERED and ADJUDGED that:

A. The Plaintiffs' Motion for Summary Judgment against **BLUE GULF CORPORATION**, a dissolved Florida corporation, is hereby GRANTED.

B. The Plaintiffs, **ALTO L. JACKSON, JR. and TRICIA A. JACKSON** are entitled to fee simple ownership of the property lying adjacent to and south of their lot to the mean high water line of the Gulf of Mexico which property is described as follows:

**All that property lying south of Lot 5, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 5, in Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County, Florida.**

C. Since there is no "successor or corporate transferee" of **WEST FLORIDA DEVELOPMENT COMPANY** or **BLUE GULF CORPORATION** in existence which holds title to the "beach area" south of Blocks 10, 11, 12, and 13 of the Blue Mountain Beach Subdivision No. 1, the Court appoints **J. LORRIANE BYTELL** as Trustee for **WEST FLORIDA DEVELOPMENT COMPANY** and its corporate successor, **BLUE GULF CORPORATION**, both dissolved Florida corporations, to make fee simple conveyances by Trustee's Deed to the Plaintiffs of the respective

properties described above, subject to the restriction that the owner thereof "*will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1*".

DONE AND ORDERED in Chambers in DeFuniak Springs, Walton County, Florida, this 20<sup>th</sup> day of November, 2007.



DAVID W. GREEN, Acting Circuit Judge

Plaintiff's address:  
P.O. Box 11026  
Montgomery, AL 36111

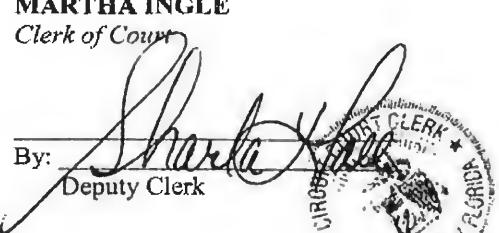
**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that a copy of the foregoing Summary Final Judgment has been furnished to the following:

**William S. Howell, Jr., P.A.**  
Attorney for Plaintiffs  
1727 S. Co. Hwy. 393  
Santa Rosa Beach, FL 32459

**Lorriane Bytell, Esq.**  
Attorney ad Litem  
1250 Circle Drive  
DeFuniak Springs, FL 32435

**MARTHA INGLE**  
*Clerk of Court*

By:   
Deputy Clerk

